



# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 06/06/00

AGENDA ITEM 9

WORK SESSION ITEM           

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Hearing on Report and Assessment for Community Preservation Fees Past Due

### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution confirming the cost of community preservation fees and abatement charges for the 1999 calendar year, and authorizing the assessments to become a lien against the properties if not paid on or before July 24, 2000.

### **BACKGROUND:**

The Community Preservation program was established in order to eliminate conditions on properties in the City which are detrimental to the health, safety, and welfare of our community. Typical violations include debris, trash, vegetation, graffiti, appliances, abandoned vehicles and the like on private property.

For a first-time violation, there is no charge for the compliance inspection process if corrections have been satisfactorily completed by the indicated reinspection date. However, if the violation is not corrected, then a fee of \$226 is assessed which is based on the standard cost for staff time and materials to process a typical violation. This includes the cost of both the initial inspection and the compliance inspection, site photographs, researching property ownership records, sending abatement notices, preparing and maintaining the case file, internal vehicle charges, et cetera. Additional inspections, if necessary, are assessed at \$81 each. For a repeated violation of the same ordinance within 12 months by the same property owner, an inspection fee of \$351 (\$226 plus a \$125 penalty fee) would be charged. Abatement by the City's contractor is undertaken when a property has failed the compliance reinspection. If it is necessary to place a lien on a property to recover unpaid inspection or contractor fees, an additional \$100 fee is levied to cover City costs.

As of the date of this writing, overdue bills affecting 25 properties (including contractor costs) amount to approximately \$14,104. Amounts currently due include a \$5 per month late charge and 1% interest per month on charges due over thirty days.


The purpose of tonight's hearing is to consider the proposed report and assessment list, as well as any objections from property owners. After concluding the hearing, Council may choose to modify the proposed charges and assessment list as appropriate, after which the list will be officially confirmed by resolution.

The unpaid charges, plus any administrative costs of the City and County, will then become a lien on the property and will appear on the November tax bill. When the property taxes are paid, or when the property is sold or refinanced, the County remits funds to the City. Abatement charges constitute a special assessment against the property. However, sometimes it is not possible to establish a lien to collect an overdue bill because the current owner was not the party responsible for the debt. In these instances, the Finance Director pursues collection of the debt from the responsible individual through the City Collection Officer, collection agency, or litigation as appropriate.

### **Public Notice**

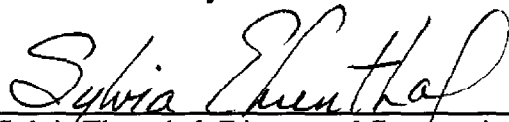
Notice of this hearing was published in the Daily Review on May 23 and May 27, 2000. A notice of this hearing was also sent by certified mail to each property owner, mortgagee or beneficiary indicated on the current assessor's roll. In addition, staff sent a courtesy letter to all those affected in April, informing them of the impending proceedings and encouraging them to pay their bills to minimize fees and be removed from the proposed assessment list.

Prepared by:



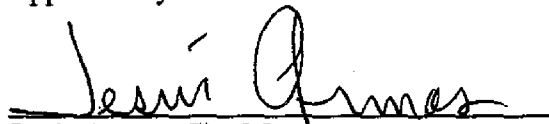
William Mork, Senior Community  
Preservation Inspector

Recommended by:



Sylvia Ehrenthal, Director of Community  
and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A – 1999 Proposed Community Preservation Assessment List  
Resolution

5

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/25/2000  
PAGE NO. 1 TIME: 13:54

DEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
96037	03/23/1999	078C 0447 002 01	GOMEZ GREGORIA GOMEZ, GREGORIA	29097 MISSION BL 94544 HAYWARD CA	220.13	4630 003 46
COMM PRES INSPECTION FEE @ 29097 MISSION (APN78C-0447-002-01)CASE#SV99-198 BANNER, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.						
078C 0447 002 01 GOMEZ GREGORIA				TOTAL	220.13	
97863	05/26/1999	078G 2765 009 00	JORDAN SCOTT A & SHEREE A JORDAN, SCOTT A. & SHEREE	188 LAFAYETTE AV 94536 FREMONT CA	226.00	4630 003 46
COMM PRES INSPECTION FEE @ 188 LAFAYETTE (APN 078G-2765-009-00)CASE#CP99- 308, CAR ON LAWN, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.						
078G 2765 009 00 JORDAN SCOTT A & SHEREE A				TOTAL	226.00	
99962	09/20/1999	078G 2778 006 00	CHAVEZ ROGELIO JR & CHERIE D CHAVEZ, ROGELIO & CHERIE	199 OSWOSSE PL 94544 HAYWARD CA	226.00	4630 003 46
COMM PRES INSPECTION FEE @ 199 OSWOSSE PL (APN078G-2778-006-00)CASE#99-1553 TRUCK ON LAWN, BOXES, TRASH, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.						
078G 2778 006 00 CHAVEZ ROGELIO JR & CHERIE D				TOTAL	226.00	
99957	09/20/1999	081D 1595 002 02	ANDRESEN NORD C ANDERSEN, NORD	27105 DOBBEL AV 94709 BERKELEY CA	238.31	4630 003 46
COMM PRES INSPECTION FEE @ 27105 DOBBEL AV (APN081D-1595-002-02)CASE#99-151 0, VEHICLE TOWED, FOR BILLING QUESTIONS CALL PHYLLIS CLEARWATER AT 583-4175.						
081D 1595 002 02 ANDRESEN NORD C				TOTAL	238.31	
98343	06/03/1999	416 0150 091 00	CRAWFORD TERRY L CRAWFORD, TERRY L	22612 MADRONE ST 94541 HAYWARD CA	238.31	4630 003 46
COMM PRES INSPECTION FEE @ 22612 MADRONE (APN416-150-91)CASE#CP99-189, FOR GARBAGE, FOR BILLING QUESTIONS CALL KEN JEFFERY AT 583-4173.						

A 1 of 6

EXHIBIT A

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATIONREPORT PRINT DATE: 05/25/2000  
PAGE NO. 2 TIME: 13:54DEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
98870	07/14/1999	416 0150 091 00	CRAWFORD TERRY L CRAWFORD, TERRY L	22612 MADRONE ST HAYWARD CA 94541	238.31	4630 003 46
*****						
COMM PRES INSPECTION FEE						
@ 22612 MADRONE (APN416-0150-091-00)CASE#VH99-500						
INOP VEHICLE, FOR BILLING QUESTIONS CALL PHYLLISS						
CLEARWATER AT 583-4175.						
-----						
416 0150 091 00 CRAWFORD TERRY L				TOTAL	476.62	
-----						
100714	11/08/1999	428 0021 040 01	CASTILLO ARTHUR & RUTH CASTILLO, ARTHUR & RUTH	1180 REX RD HAYWARD CA 94541	322.14	4630 003 46
*****						
COMM PRES INSPECTION FEE						
@ 1180 REX RD (APN428-21-40-01)CASE#VH99-1575,						
FOR INOP VEHICLES, FOR BILLING QUESTIONS CALL						
PHYLLIS CLEARWATER AT 583-4175.						
-----						
428 0021 040 01 CASTILLO ARTHUR & RUTH				TOTAL	322.14	
-----						
100739	11/08/1999	428 0081 005 03	DEVIAR OLGA DEVIAR, OLGA	22845 ATHERTON ST HAYWARD CA 94541	1,149.33	4630 003 46
*****						
COMM PRES INSPECTION FEE						
@ 22845 ATHERTON ST (APN428-81-5-3)CASE#CP99-1899						
FOR GARBAGE, FOR BILLING QUESTIONS CALL MAGGIE						
FLORES AT 583-4173.						
-----						
428 0081 005 03 DEVIAR OLGA				TOTAL	1,149.33	
-----						
95497	02/11/1999	431 0012 087 00	DEMIGUEL MIKE DEMIGUEL, MIKE	228 B ST SAN LEANDRO CA 94578	238.31	4630 003 46
*****						
COMM PRES INSPECTION FEE						
@ 234 B ST (APN431-0012-087-00)CASE#CP98-1609						
TRASH/DEBRIS, FOR BILLING QUESTIONS CALL KEN						
JEFFERY AT 583-4173.						
-----						
431 0012 087 00 DEMIGUEL MIKE				TOTAL	238.31	
-----						
97919	05/26/1999	431 0096 025 02	STAMATAKIS NICHOLAS D & CATHERINE I STAMATAKIS, NICKOLAS	310 WEST A ST PIEDMONT CA 94611	260.53	4630 003 46
*****						
COMM PRES INSPECTION FEE						
@ 310 W. A ST (APN431-0096-025-02)CASE#SV99-201						
BANNERS, FOR BILLING QUESTIONS CALL JOANNE LACONTE						
AT 583-4172.						
-----						
431 0096 025 02 STAMATAKIS NICHOLAS D & CATHERINE I						

DEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT	
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION		STAT		
*****					TOTAL	260.53	
95548	02/11/1999	432 0040 045 01	OCONEILL BARBARA J & PATRICK A O'CONNELL, BARBARA & PATRICK	22680 HAPPYLAND AV 81001	371.63	4630 003 46	
COMM PRES INSPECTION FEE @ 22680 HAPPYLAND AV (APN432-40-45-1)CASE#CP99-5, GARBAGE & DEBRIS, FOR BILLING QUESTIONS CALL JOANNE LACONTE AT (510)583-4172.							
100806	11/08/1999	432 0040 045 01	OCONEILL BARBARA J & PATRICK A O'CONNELL, BARBARA & PATRICK	22680 HAPPYLAND AV 81001	371.63	4630 003 46	
COMM PRES INSPECTION FEE @ 22680 HAPPYLAND (APN432-40-45-1)CASE#CP99-1677, FOR GARBAGE, FOR BILLING QUESTIONS CALL JOANNE LACONTE AT 583-4172.							
432 0040 045 01 OCONELL BARBARA J & PATRICK A					TOTAL	743.26	
95566	02/11/1999	444 0009 037 00	SCOTT CHARLES R SCOTT, CHARLES & CATHERINE	24293 MAGNA AV 94546	238.31	4630 003 46	
COMM PRES INSPECTION FEE @ 24295 MAGNA AV (APN444-9-37)CASE#CP98-1502, DEBRI ON PROPERTY, FOR BILLING QUESTIONS CALL KEN JEFFER AT 583-4173.							
444 0009 037 00 SCOTT CHARLES R					TOTAL	238.31	
98468	06/28/1999	444 0069 034 00	KMIT IVAN & JANET KMIT, IVAN & JANET	127 HERMES CT 94544	6,652.82	4630 003 46	
COMM PRES INSPECTION FEE @ 127 HERMES CT (APN444-69-34)CASE#CP98-2032, PROPERTY ABATED BY CITY, FOR BILLING QUESTIONS CAL KEN JEFFERY AT 583-4173.							
101243	12/07/1999	444 0069 034 00	KMIT IVAN & JANET KMIT, IVAN & JANET	127 HERMES CT 94544	238.31	4630 003 46	
COMM PRES INSPECTION FEE @ 127 HERMES CT (APN444-0069-034-00)CASE#VH99-1963 VEHICLE TOWED, FOR BILLING QUESTIONS CALL PHYLLIS CLEARWATER AT 583-4175.							
444 0069 034 00 KMIT IVAN & JANET					TOTAL	6,891.13	

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATIONDEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	PARCEL NUMBER	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT STAT
95258	02/04/1999	445 0140 014 02	SZPARA MARY E & JOHN V SZPARA, MARY E & JOHN V	24449 MARGARET DR HAYWARD CA 94542	238.31	4630 003 46
*****						
445 0140 014 02 SZPARA MARY E & JOHN V					TOTAL	238.31
99978	09/20/1999	452 0012 162 00	SAIKI MICHAEL N HEIRS OF EST SAIKI, MICHAEL N HEIRS OF EST	160 GOODRICH ST HAYWARD CA 94544	238.31	4630 003 46
*****						
452 0012 162 00 SAIKI MICHAEL N HEIRS OF EST					TOTAL	238.31
99972	09/20/1999	452 0085 117 00	NATNAT FELIX & CHARITO NATNAT, FELIX & CHARITO	183 STANISLAUS CT HAYWARD CA 94544	238.31	4630 003 46
*****						
452 0085 117 00 NATNAT FELIX & CHARITO					TOTAL	238.31
95242	02/04/1999	453 0045 041 00	DASILVA JOSEPH O DASILVA, JOSEPH O	203 SHEPHERD AV FREMONT CA 94555	320.12	4630 003 46
*****						
453 0045 041 00 DASILVA JOSEPH O					TOTAL	320.12
97827	05/26/1999	454 0060 178 00	CAMACHO ALMA G & LUIS E CAMACHO, ALMA G & LUIS E	26885 PATRICK AV HAYWARD CA 94544	238.31	4630 003 46
*****						
454 0060 178 00 CAMACHO ALMA G & LUIS E					TOTAL	238.31

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATIONREPORT PRINT DATE: 05/25/2000  
PAGE NO. 5 TIME: 13:54DEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	PARCEL NUMBER	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION		STAT	
*****						
TOTAL					238.31	
-----						
21	98485	06/28/1999	455 0004 068 00	PRASAD DEVI & TARA M & RAJINESH S & LATA MOREEN	25897 PETERMAN AV	238.31 4630 003
				PRASAD, RAJNESH S. DEVI TARA M	HAYWARD CA	46
				COMM PRES INSPECTION FEE		
				@ 25897 PETERMAN AV (APN455-4-98) CASE#CP99-461		
				FOR GARBAGE, FOR BILLING QUESTIONS CALL JOANNE		
				LACONTE AT 583-4172.		
-----						
			455 0004 068 00	PRASAD DEVI & TARA M & RAJINESH S & LATA MOREEN	TOTAL	238.31
-----						
22	98446	06/28/1999	461 0045 013 00	COBB LOUISE S TR	3478 BAUMBERG AV	483.74 4630 003
				COBB, LOUISE	HAYWARD CA	46
				COMM PRES INSPECTION FEE		
				@ 3478 BAUMBERG AVE #D (APN461-45-13) CASE#CP98-		
				1645, JUNK, DEBRIS, FOR BILLING QUESTIONS CALL		
				BILL MORK AT 583-4174.		
-----						
			100716	11/08/1999	461 0045 013 00	COBB LOUISE S TR
						3478 BAUMBERG AV
						HAYWARD CA
						320.12 4630 003
						46
				COMM PRES INSPECTION FEE		
				@3478 BAUMBERG (APN461-45-013-00) CASE#VH99-991,		
				FOR INOP VEHICLE, FOR BILLING QUESTIONS CALL		
				PHYLLIS CLEARWATER AT 583-4175.		
-----						
			461 0045 013 00	COBB LOUISE S TR	TOTAL	803.86
-----						
24	95236	02/04/1999	463 0003 014 00	ALI HAZARAT & SHAMINA	28004 PETRINA CT	320.12 4630 003
				ALI, HARARAT & SHAMINA	HAYWARD CA	46
				CPI/AVA ABATEMENT		
				@ 28004 PETRINA CT (APN463-0003-014-00) CASE#VH98-19		
				84, VEHICLES REMOVED, FOR BILLING QUESTIONS CALL		
				PHYLISS CLEARWATER AT 583-4175.		
-----						
			463 0003 014 00	ALI HAZARAT & SHAMINA	TOTAL	320.12
-----						
25	97865	05/26/1999	464 0100 027 00	KHATRI KANTILAL & RAJESHKUMAR	1551 INDUSTRIAL PKWY WST	238.31 4630 003
				KHATRI, RAJESH KUMAR	BELMONT CA	46
				COMM PRES INSPECTION FEE		
				@ 1551 INDUSTRIAL PKWY W (APN 464-0100-027-00)		
				CASE#GR99-313, FOR BILLING QUESTIONS CALL KATHY		
				CAMPBELL AT 583-4170.		
-----						
			464 0100 027 00	KHATRI KANTILAL & RAJESHKUMAR	TOTAL	238.31

A 5 of 6

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/25/2000  
PAGE NO. 6 TIME: 13:54

DEPARTMENT: COMMUNITY PRESERVATION  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO		MAP BLOCK	PARCEL INVOICE DESCRIPTION			STAT
*****						
TOTAL						14,104.03 ✓
						*****

\*\*\*\*\* END OF REPORT \*\*\*\*\*



# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

**RESOLUTION CONFIRMING THE REPORT, AS REVISED,  
OF THE ENFORCEMENT OFFICER FOR PUBLIC  
NUISANCE ABATEMENT FROM CERTAIN PROPERTIES  
IN THE CITY OF HAYWARD IN CONNECTION WITH THE  
COMMUNITY PRESERVATION PROGRAM FOR 1999**

WHEREAS, in connection with the 1999 Community Preservation Program, the Enforcement Officer has rendered an itemized report in writing to this Council showing the cost of abating public nuisances from certain properties in the City of Hayward described in said report, all as required by section 5-7.50 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 8 p.m. on Tuesday, June 6, 2000, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 5-7.55 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the revised report of the Enforcement Officer of the City of Hayward Community Preservation Program on the cost of abating public nuisances from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 24, 2000, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA, \_\_\_\_\_, 2000

**ABSTAIN:**

**ABSENT:**

**ATTEST:** \_\_\_\_\_  
City Clerk of the City of Hayward

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney of the City of Hayward